

Exhibit R



DEPARTMENT OF HOMELAND SECURITY
UNITED STATES SECRET SERVICE
WASHINGTON, D.C. 20223

Freedom of Information Act & Privacy Act Program
Communications Center
245 Murray Lane, SW, Building T-5
Washington, D.C. 20223

Date: OCT 22 2018

University at Buffalo
Clinical Legal Education School of Law
507 O'Brian Hall
Buffalo, NY 14260-1100
Attn: Jonathan Manes
jmmanes@buffalo.edu

File Number: 20190014 - 20190016

Dear Requester:

This letter is intended to acknowledge the receipt of your recent Freedom of Information Act (FOIA) request, received by the United States Secret Service (Secret Service) on October 9, 2018, for information pertaining to records relating to the agency's use and/or development of hacking techniques or equipment, software and/or technology to include records that constitute or contain reports, audits, assessments or statistical information; records reflecting internal approvals or authorization disapprovals/denials of the use of a hacking technique in a criminal or civil investigation.

Please be advised, your request for a fee waiver will be held in abeyance pending the quantification of responsive records. The FOIA regulations, Title 6 C.F.R., Chapter I, Part 5 § 5.11(k)(2)(3), set forth six factors to examine when determining whether the applicable legal standard for a fee waiver has been met. We will consider these factors in our evaluation of your request for a fee waiver:

- 1) Whether the subject of the requested records concerns "the operations or activities of the government;"
- 2) Whether the disclosure is "likely to contribute" to an understanding of government operations or activities;
- 3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requestor or a narrow segment of interested persons;
- 4) Whether the contribution of public understanding of government operations or activities will be "significant;"
- 5) Whether the requester has a commercial interest that would be furthered by the requested disclosure; and

- 6) Whether the magnitude of any identified commercial interest to the requestor is sufficiently large in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requestor.

In the event that your fee waiver is denied, we shall charge you for the records in accordance with Interim FOIA regulations as they apply to "educational" requesters. The first 100 pages of duplication are free of charge. As an "educational" requester, you will be charged .10 cents a page for the duplication of each additional page.

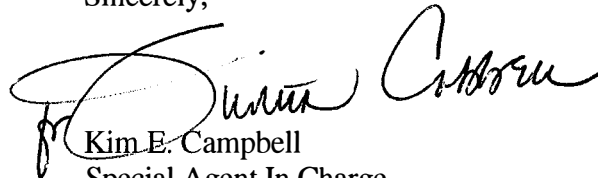
Furthermore, the submission of your request is viewed as an agreement, by you, to pay duplication and search time costs up to \$25.00. A search for files responsive to your request is being conducted. The appropriate components of the Secret Service are being queried for responsive documents. If any responsive records are located, they will be reviewed for a disclosure determination. You will be contacted before any additional fees are accrued.

Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Per Section 5.5(a) of the FOIA regulations, 6 C.F.R, Chapter I, Part 5, the Service processes FOIA requests according to their order of receipt.

Your request has been assigned FOIA File No. 20190014. We solicit your cooperation and assure you that the search will be conducted as expeditiously as possible. To check the status of your FOIA request, please contact this office at (202) 406-6370.

Please use the file number indicated above in all future correspondence with this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim E. Campbell", is written over a horizontal line.

Kim E. Campbell
Special Agent In Charge
Freedom of Information Act & Privacy Act Officer